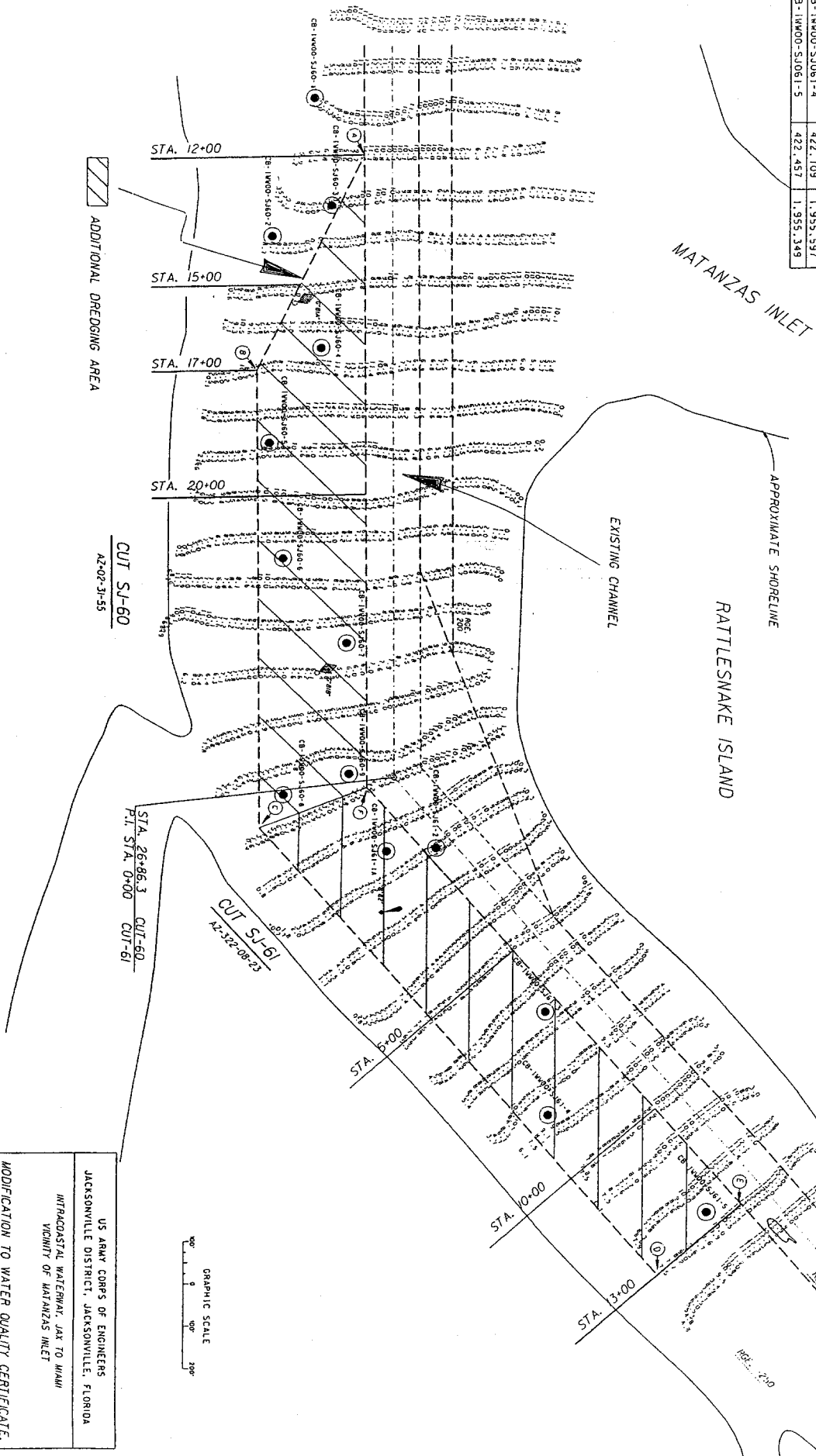


CORE BORINGS	PLANE COORDINATES	
	X	Y
CB-1W00-SJ060-1	421.684	1,958.053
CB-1W00-SJ060-2	421.571	1,957.739
CB-1W00-SJ060-3	421.711	1,957.802
CB-1W00-SJ060-4	421.670	1,957.470
CB-1W00-SJ060-5	421.540	1,957.252
CB-1W00-SJ060-6	421.557	1,956.374
CB-1W00-SJ060-7	421.695	1,956.759
CB-1W00-SJ060-8	421.530	1,956.402
CB-1W00-SJ060-9	421.685	1,956.442
CB-1W00-SJ061-1A	421.879	1,956.250
CB-1W00-SJ061-2	421.763	1,956.251
CB-1W00-SJ061-3	422.115	1,955.843
CB-1W00-SJ061-4	422.109	1,955.597
CB-1W00-SJ061-5	422.457	1,955.349

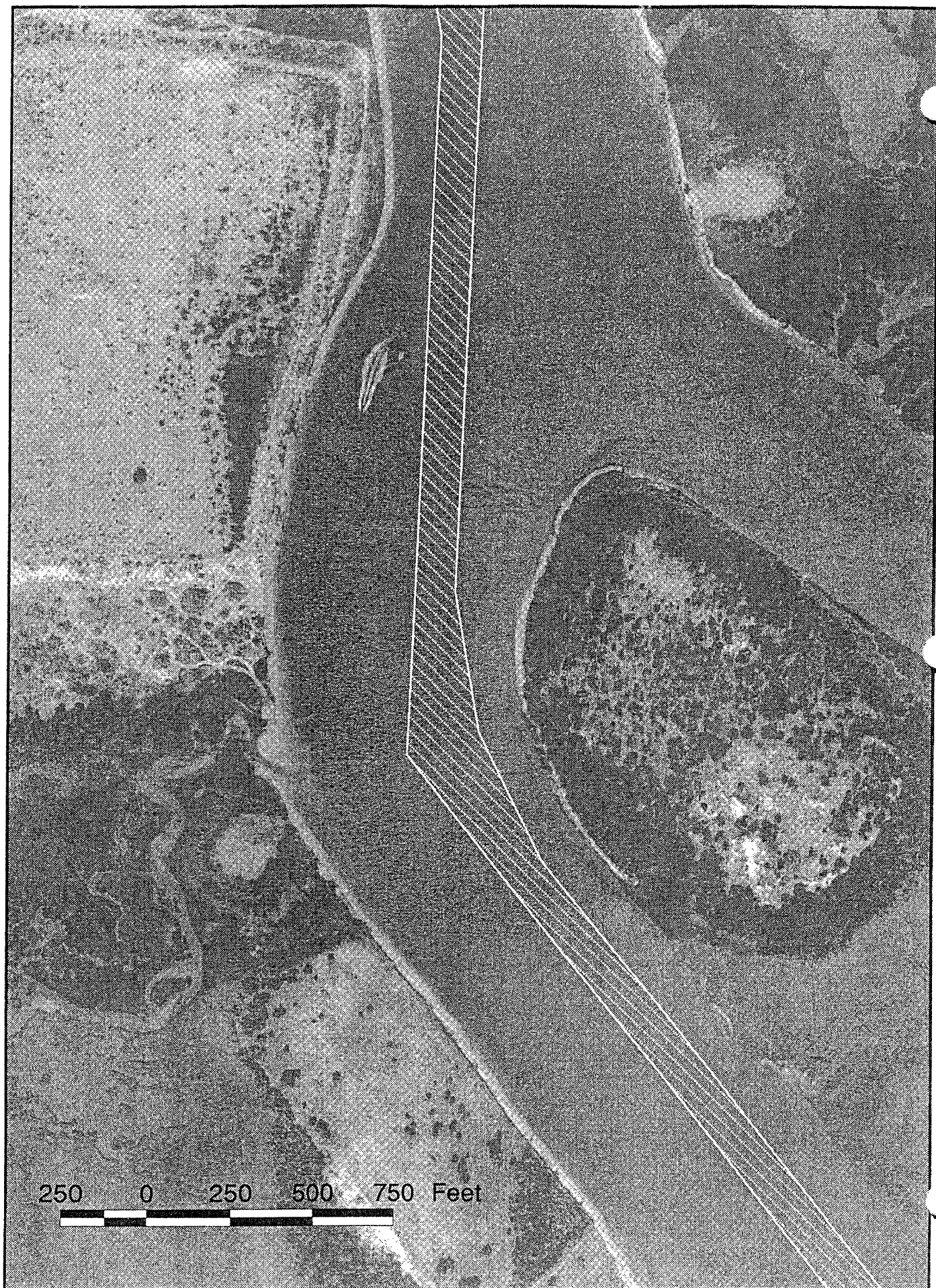
POINT	PLANE COORDINATES	
	X	Y
A	421.791.86	1,957.914.43
B	421.520.03	1,957.426.47
C	421.471.35	1,956.325.82
D	422.339.63	1,955.208.87
E	422.536.58	1,955.362.86
F	421.725.17	1,956.406.55



US ARMY CORPS OF ENGINEERS
JACKSONVILLE DISTRICT, JACKSONVILLE, FLORIDA
INTRACASTAL WATERWAY, JAX TO MIAMI
VICINITY OF MATANZAS INLET

MODIFICATION TO WATER QUALITY CERTIFICATE.
PERMIT # 128851-001-JC. FOR DREDGING OF
CUTS SJ-60 AND SJ-61

DATE: FEB 1961





United States Department of the Interior

FISH AND WILDLIFE SERVICE

6620 Southpoint Drive South

Suite 310

Jacksonville, Florida 32216-0958

IN REPLY REFER TO:
FWS/R4/ES-JAFL

March 6, 2001

Mr. James C. Duck
Chief, Planning Division
U.S. Army Corps of Engineers
P.O. Box 4970
Jacksonville, Florida 32232-0019

Dear Mr. Duck:

This is in response to your letter of February 23, 2001, requesting, in accordance with section 7 of the Endangered Species Act of 1973, as amended (Act)(16 U.S.C. 1531 *et seq.*), regarding proposed widening of cuts SJ-60 and SJ-61 of the IWW in the vicinity of the Matanzas Inlet, Flagler County. A cutter-head scution pipeline dredge would probably be used for the work. The material will be placed on the beach south of Summer Haven.

On December 27, 1997, the Service provided the Corps a biological opinion and incidental take on this project with reference to the loggerhead, green, leatherback and hawksbill sea turtles. Omitted from the opinion was the manatee. In your recent letter, the Corps stated that the standard manatee construction precautions would be implemented.

Based on our review of the project and its location, the Service believes the project is not likely to adversely affect the manatee. This determination is based on the fact that the project will not increase boat access to manatee habitat; therefore the project will in no way contribute to watercraft-related harm or harassment of manatees. Additionally, no authorization for incidental take is necessary under the Marine Mammal Protection Act.

Although this does not represent a biological opinion as described in section 7 of the Act, it does fulfill the requirements of the Act and no further action is required. If modifications are made in the project or additional information becomes available on listed species, reinitiation of consultation may be required.

Sincerely,



David L. Hankla
Field Supervisor

cc

Ms. Judith Vallee
Save the Manatee Club
500 North Maitland Ave.
Maitland, Florida 32751

Mr. Robert Gulley
1900 M. St. N.W.
Washington D.C. 20016



United States Department of the Interior

FISH AND WILDLIFE SERVICE

6620 Southpoint Drive South

Suite 310

Jacksonville, Florida 32216-0912

IN REPLY REFER TO:
FWS/R4/ES-JAFL

DEC 23 1997

Colonel Joe Miller
District Engineer
U.S. Army Corps of Engineers
P.O. Box 4970
Jacksonville, Florida 32232-0019

FWS Log No: 98-171D
Public Notice No: PN-IWW-216
Applicant: U.S. Army Corps of Engineers
County: St. Johns

Attn: Planning Division

Dear Colonel Miller:

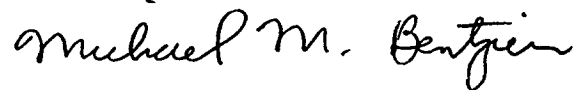
Enclosed is the U.S. Fish and Wildlife's biological opinion for the above referenced project. On November 18, 1997, the Corps requested initiation of formal consultation for the Matanzas Inlet portion of the project regarding potential impacts to sea turtles. Your letter also requested that (1) no compaction testing be required since tilling of the beach would occur upon completion of the project and (2) that there be no lighting restrictions for the beach placement site. In response to these requests, we offer the following:

(1) The Service will not modify the Terms and Conditions regarding compaction testing for the project site immediately after the material is placed and for three subsequent years since out-year monitoring and remediation was not addressed in your letter. However, in situations where the Corps decides that tilling will be conducted regardless of whether or not it is needed per the guidelines provided in the Incidental Take Statement, then compaction monitoring will not be necessary. The purpose of the compaction monitoring is simply to determine if tilling will be required. Should the Corps decide to bypass the monitoring step and move directly to tilling, that is acceptable to fulfill the intent of the Terms and Conditions.

(2) The Service has modified the Terms and Conditions regarding lighting restrictions during the material placement in response to concerns for safety and information that nesting females avoid areas of active construction. We continue to require that lighting be limited to the immediate area of active construction, but now recommend the use of shielded low pressure sodium vapor light and do not require the use of red filters.

If you have further questions or comments regarding this letter, please contact Sandy MacPherson at (904) 232-2580 ext. 110.

Sincerely,

A handwritten signature in cursive script that reads "Michael M. Bentzien".

Michael M. Bentzien
Assistant Field Supervisor

Enclosure



United States Department of the Interior

FISH AND WILDLIFE SERVICE

6620 Southpoint Drive South

Suite 310

Jacksonville, Florida 32216-0912

IN REPLY REFER TO:
FWS/R4/ES-JAFL

DEC 23 1997

Colonel Joe Miller
District Engineer
U.S. Army Corps of Engineers
P.O. Box 4970
Jacksonville, Florida 32232-0019

FWS Log No: 98-171D
Public Notice No: PN-IWW-216
Applicant: U.S. Army Corps of Engineers
County: St. Johns

Attn: Planning Division

Dear Colonel Miller:

The U.S. Fish and Wildlife Service (Service) has reviewed the project plans for the following activity: maintenance dredging of the St. Augustine and Matanzas Inlets and placement of dredged material onto segments of beach south of each inlet, located in St. Johns County, Florida. Your November 18, 1997, request for formal consultation was received on November 19, 1997. This document represents the Service's biological opinion on the effects of that action on the loggerhead sea turtle (*Caretta caretta*), green sea turtle (*Chelonia mydas*), leatherback sea turtle (*Dermochelys coriacea*), and hawksbill sea turtle (*Eretmochelys imbricata*) in accordance with section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

This biological opinion is based on information provided in the November 1997 biological assessment, the May 27, 1997 Public Notice, telephone conversations, field investigations, and other sources of information. A complete administrative record of this consultation is on file in the Jacksonville Field Office.

Consultation history

On March 1, 1994, the U.S. Army Corps of Engineers (Corps) requested formal consultation regarding sea turtles, the West Indian manatee (*Trichechus manatus*), and the Anastasia Island beach mouse (*Peromyscus polionotus phasma*) for the maintenance dredging of the St. Augustine

beach mouse (*Peromyscus polionotus phasma*) for the maintenance dredging of the St. Augustine Inlet and placement of material on Anastasia Island State Park. On December 7, 1994, the Service submitted a Fish and Wildlife Coordination Act Report (CAR) and Biological Opinion (BO) for this proposed activity. The opinion determined that the project was not likely to adversely affect the piping plover (*Charadrius melodus*) or the manatee. The standard manatee construction precautions were recommended as conditions of the contract. The opinion also determined that the proposed project would not jeopardize the continued existence of the Anastasia Island beach mouse, and loggerhead, green, and leatherback sea turtles. The opinion provided an incidental take statement with reasonable and prudent measures and terms and conditions for these species.

In the May 27, 1997 Public Notice, the Corps determined that the proposed project (dredging and material placement in the vicinity of both the St. Augustine Inlet and the Matanzas Inlet) would have "no effects" on either the West Indian manatee or sea turtles. On July 23, 1997, the Corps requested reinitiation of consultation for maintenance dredging of the St. Augustine Inlet, specifically requesting variance to the Terms and Conditions to allow the Corps to rebuild dunes on Anastasia State Park. On August 6, 1997, the Corps requested that the Service affirm the validity of the December 7, 1994 CAR/BO to the St. Augustine Inlet portion of the project. On August 18, 1997, the Service responded that there was no objection to rebuilding the dunes and the Terms and Conditions would not require revision. Changes in sea turtle protection measures had been made since the December 7, 1994 BO, and the Service provided a revised Incidental Take Statement for loggerhead, green, and leatherback sea turtles.

On November 18, 1997, the Corps requested section 7 consultation for loggerhead, green, leatherback, and hawksbill sea turtles for the portion of the proposed project occurring in the vicinity of the Matanzas Inlet. At that time, the Corps determined that the project would not impact Anastasia Island beach mice due to the eroded condition of the beach. On November 25, 1997, a Service biologist conducted a site visit to the beach area where the dredge material is to be placed. The Service believes the project is not likely to adversely affect the manatee. We recommend that the Corps condition the permit, if issued, with the standard manatee construction precautions.

BIOLOGICAL OPINION

Description of the proposed action

The Corps proposes to conduct routine maintenance dredging of the Intracoastal Waterway (IWW) in the vicinity of the St. Augustine Inlet and in the vicinity of the Matanzas Inlet. The purpose of the project is to restore the navigation channel to authorized depths. The dredged material will be placed on the beaches south of the inlets. Approximately, 30,000 cubic yards of dredged material from the St. Augustine Inlet will be placed on the beach face of Anastasia State Park between DNR Monuments R-132 and R-136. The material will be used to create a dune at the location of a dune over-wash.